

**UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF VIRGINIA
Alexandria Division**

In re:)	
)	
ALICE JEAN VASKO,)	Case No. 16-14014-BFK
)	Chapter 13
Debtor.)	

**ORDER DENYING MOTION
FOR EXTENSION OF TIME**

This matter is before the Court on the Debtor's Motion to Extend Time to file a Modified Plan. Docket No. 93. This case was filed on November 28, 2016, almost one year ago. The Debtor has filed three Chapter 13 Plans, each of which was denied confirmation. Docket Nos. 2 (Plan), 18 (Order Denying Confirmation), 21 (Amended Plan), 53 (Order Denying), 64 (Amended Plan), 85 (Order Denying Confirmation). At one point, the Court afforded the Debtor the extraordinary relief of allowing 60 days within which to file an Amended Plan, rather than the customary 21 days under the Local Rules. Docket Nos. 48, 53. The most recent denial of confirmation required that an Amended Plan be filed by October 13, 2017. Docket No. 85. An Amended Plan was not filed on or before October 13, 2017.

On October 12 and 16, 2017, counsel for the Debtor filed a Motion to Extend Time to file an Amended Plan. Docket Nos. 91, 93.¹ Under Bankruptcy Rule 9006(b)(1), the Court may extend the time "for cause," "in its discretion." The only basis for not timely filing an Amended Plan alleged is that "Counsel has had difficulty communicating with [the] Debtor and arranging for an appointment to finalize a plan." Motion, ¶ 2. It is the Debtor's responsibility to

¹ The Motion to Extend Time initially was granted by the Clerk, but that was an error and the Clerk's Order has been vacated. Docket No. 94.

communicate with her counsel and to make sure that she is available to carry out her responsibilities as a Chapter 13 Debtor.

The Court finds that there has been no showing of cause, and under the circumstances, the Court declines to exercise its discretion. Accordingly, the Motion to Extend Time will be denied.

It is therefore **ORDERED**:

1. The Debtor's Motion to Extend Time is denied.
2. The Clerk will mail copies of this Order, or will provide cm-ecf notice of its entry, to the parties below.

Date: Oct 19 2017

Alexandria, Virginia

Copies to:

Alice Jean Vasko
15378 Inlet Place
Dumfries, VA 22025
Chapter 13 Debtor

Thomas P. Gorman
300 N. Washington Street, Suite 400
Alexandria, VA 22314
Chapter 13 Trustee

/s/ Brian F. Kenney

Brian F. Kenney
United States Bankruptcy Judge
Entered on Docket: October 19, 2017

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